



**TOWN OF WEARE**  
PLANNING BOARD  
ZONING BOARD OF ADJUSTMENT  
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Naomi L. Bolton  
Land Use Coordinator

**Office Hours:**  
Monday  
thru  
Friday  
8 AM – 4:30 PM

**PLANNING BOARD  
MINUTES  
MAY 28, 2009  
(Approved as written 6/11/09)**

**PRESENT:** Chairman Craig Francisco; Tom Clow, Exofficio; George Malette, Secretary; Neal Kurk; Naomi Bolton, Land Use Coordinator

**GUESTS:** Stephen Pope; Heidi Pope; Tina Connor; Robert Connor; Pauline Marcotte  
Clinton Redman; Ed Cluche

**I. CALL TO ORDER:**

Chairman Craig Francisco called the meeting to order at 7:03 PM at the Weare Town Office Building.

**II. PUBLIC HEARING:**

ED CLUCHE – CONCEPTUAL HEARING, SHERWOOD FOREST ROAD, TAX MAP 403-018: No one was present for this hearing at this time, so the board proceeded to the next item. If Mr. Cluche shows he will be put on the end of the agenda.

NEW CINGULAR WIRELESS (OWNER: JOHN J. MOODY) – SITE PLAN REVIEW (CONTINUED HEARING), FOREST ROAD, TAX MAP 411-290: Chairman Francisco opened this hearing at 7:04 PM. Naomi informed the board that she received an email from Ivan Pagacik, IDK Communications stating that he was not done the RF review, therefore will not be ready for this evening. Naomi informed Attorney Doug Wilkins, representing New Cingular Wireless of Mr. Pagacik's response and Attorney Wilkins returned an email requesting a continuance to June 25<sup>th</sup>. George Malette moved to continue this hearing to June 25, 2009; Neal Kurk seconded the motion, all in favor. Chairman Francisco closed this hearing at 7:05 PM.

STEPHEN POPE – SUBDIVISION, 65 BART CLOUGH ROAD, TAX MAP 409-007: Chairman Francisco opened this hearing at 7:06 PM. Stephen Pope was present. Mr. Pope explained that he purchased the property on 65 Bart Clough Road, formerly known as the Hooker Farm. The lot consists of a farmhouse and approximately 125 acres. He would like to subdivide the property into four lots. One 2.501 acre lot with the existing house; one 19.139 acre lot around the house that will be protected by a conservation easement; one lot containing approximately 21.064 acres for he and his wife to build a house; and the last lot to

contain about 77 acres that he will return to the board in the future to do a cluster subdivision with approximately 4 lots and the balance to be protected by another conservation easement. Chairman Francisco pointed out that there is one waiver request for topography. The plan is drawn with 10 foot contours and the checklist requires 5 foot contours. Neal Kurk moved to accept the waiver for checklist item # 13 regarding the topography; George Malette seconded the motion, all in favor. Chairman Francisco pointed out that the wetlands were not delineated by a certified wetlands scientist or permitted designer which is in the subdivision regulations, they were taken from the Weare, NH 1995 US Geological Survey. Chairman Francisco stated that it really didn't matter for the plan because the lot the wetlands are on will be coming back for re-subdivision at some point. Chairman Francisco pointed out to Mr. Pope that they will have to be delineated for that plan. Mr. Pope agreed and added this to the waiver form. George Malette moved to accept the waiver of checklist item #14 regarding delineated wetlands shown on the entire parcel; Neal Kurk seconded the motion, all in favor. Neal Kurk moved to accept the application a complete; George Malette seconded the motion, all in favor. Being there was no public present for this hearing Chairman Francisco closed the public hearing portion at 7:25 PM. Neal Kurk moved to approve the plan as presented for a four (4) lot subdivision as presented by Stephen Pope, Tom Clow seconded the motion, all in favor.

TINA CONNOR – EXPEDITED SITE PLAN REVIEW, 1387 SOUTH STARK HIGHWAY, TAX MAP 203-001: Chairman Francisco opened this hearing at 7:28 PM. Tina Connor was present. Mrs. Connor explained that she and her Mom own the property at 1387 South Stark Highway. They would like to take the existing 12' x 22' storage shed and convert it into a fully functioning food and ice cream stand to be called "Nana's Snack Shack". The hours of operation will be from Wednesday to Sunday each week 11:00 AM to 9:00 PM. Her Mom, who lives in one of the apartment units, will be in charge of the facility during the day time hours. The goal is to keep the appearance suited for the village district by painting the building white and using black for the trim and background of the sign. There will be no inside seating for customers; order and pick-up service only. The intention this year is to just get Phase I up and running to facilitate a hot dog steaming machine and all pertinent equipment dealing with ice cream products. Phase II next year would involve adding the equipment to add fried seafood, hand-cut regular and sweet potato fries, grilled items, and other homemade desserts such as pies to the menu. There will be a seasonal port-a-potty discretely located for the comfort of customers and employees. There will be a couple of tables with umbrellas for patrons to sit at to enjoy their food and treats. The addition of a ramp or poured concrete slab, made handicap accessible in front of the service windows and the addition of a section of fence as a barrier from the grass and stream that is there behind the building. A dumpster will be placed to the right of the second garage in on the property to facilitate trash removal. There is plenty of off street parking. She will be obtaining a permit for the renovations. She also will be tying into the Town sewer. This is a permitted use in the village district as light commercial such as retail and service

establishments are allowed. She is hoping to be open for the upcoming season. Neal Kurk asked if she could be more specific about the signs with regard to type and size. Mr. Kurk indicated that the village district has some more detailed specifications and sizes, which Mrs. Connor stated that wouldn't be a problem to abide by. Neal Kurk moved to accept the application as complete; George Malette seconded the motion, all in favor. Neal Kurk moved to approve subject to the following conditions:

- On page 33 of the application, where there are 2 signs described, he would like the record to show that the 2' x 3' sign shown is in fact the sandwich the board and not a permanent sign
- 1 – 2' x 3' menu board allowed on the building
- that the 2' x 10' on face of building be reduced to be no bigger than 12 SF and the sign has to emulate the Village District signs

George Malette seconded the motion, all in favor. Chairman Francisco closed this hearing at 7:41 PM.

ED CLUCHE – CONCEPTUAL HEARING, SHERWOOD FOREST ROAD, TAX MAP 403-018: Chairman Francisco opened this hearing at 7:42 PM. Ed Cluche was present. Mr. Cluche currently owns property at 95 Sherwood Forest Road. The property has a single family home and a detached garage with an apartment above it. Mr. Cluche has the property up for sale, but in light of the economic times the current renters can't finance the whole property. He would like to turn the property into a condominium, which would allow the current renters to purchase the property and he could retain the garage with the apartment. He would have to go through the subdivision process and have an attorney create condo documents that would be recorded with the plan. The board was concerned as there were two separate dwelling units on one lot. The property file was pulled and there was a notice of decision from the ZBA which had granted him a variance in 2002 to allow the two dwellings to stay on the one lot. It would appear that the condominium would be a viable way to go but he will have to seek professional assistance from a surveyor and an attorney. Chairman Francisco closed this hearing at 7:58 PM.

### **III. OTHER BUSINESS:**

MAY 14, 2009 MINUTES: George Malette moved to approve the May 14, 2009 minutes as amended; Neal Kurk seconded the motion, all in favor.

### **IV. ADJOURNMENT:**

As there was no further business to come before the board, Neal Kurk moved to adjourn at 8:00 PM; George Malette seconded the motion, all in favor.

Respectfully submitted,

Naomi L. Bolton  
Land Use Coordinator